

### **REMARKS/ARGUMENTS**

The Office Action of May 27, 2004, has been carefully considered.

It is noted that the specification has been objected to under 35 C.F.R. §1.75(d)(1).

Claims 12, 14 and 19 are rejected under 35 U.S.C. §102(b) over the patent to Offenbroich.

Claim 12 is rejected under 35 U.S.C. §102(b) over the patent to Banthia et al.

Claims 15 and 16 are rejected under 35 U.S.C. §103(a) over Offenbroich in view of the patent to Kreis.

Claims 15, 17, 18, 20 and 21 are rejected under 35 U.S.C. §103(a) over Banthia et al. in view of Kreis.

In connection with the Examiner's objection to the specification, Applicant has amended the specification so that there is now support for all the claim language. Furthermore, Applicant has revised the term "surrounding" to be --encompassing-- as it is believed that this more clearly and accurately describes what is shown in the drawings.

In view of these considerations it is respectfully submitted that the objection to the specification is overcome and should be withdrawn.

In view of the Examiner's rejections of the claims, Applicant has canceled claim 19 and amended claims 12, 14-18 and 20-21.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references, and particularly to the patent to Offenbroich, it can be seen that this patent discloses a fastening device that consists of a central frame 1 with joining members 2 that protrude from the frame in various possible directions. The joining members have recessed grooves that narrow as the grooves approach the central frame. The tubular structural parts 3 have ribs 5 that are forced onto the grooves of the joining members so that the structural parts are locked in position by the restricting frictional forces applied by the grooves. Offenbroich does not disclose a transverse beam of an automobile instrument panel as in the presently claimed invention. Regarding the "frame" referred to by the Examiner in the sentence bridging pages 2 and 3 of the Office Action, the frame recited in the presently claimed invention

is part of the extruded connecting element. As can be seen in Figure 1 of the present application, and as recited in amended claim 12, the connecting element, including the frame, is inserted into the ends of the hollow sections. In Offenbroich, on the other hand, the "frame (1, 1')" forms part of the walls of the beam and is not inserted into the hollow sections.

Furthermore, the central frame of Offenbroich is a support for the joining members and, unlike the presently claimed invention, is not used for direct connection to one of the tubular structural parts. Furthermore, the joining members of Offenbroich are solid, otherwise it would not be possible to incorporate recessed grooves therein. In the presently claimed invention, on the other hand, the push-fit body is hollow. In Offenbroich, the joining member does not contain lengths of the side walls of the frame. The edges of the central frame are distinct from each joining member. Every side wall of the joining member emerges from the face of the central frame. None of the joining member side walls are flushed with the side walls of the central frame. In the present invention, on the other hand, the side walls of the push-fit body are a continuation of the frame side walls. Thus, Offenbroich does not disclose a transverse beam of an automobile instrument panel as recited in the claims presently on file.

In view of these considerations it is respectfully submitted that the rejection of claims 12, 14 and 19 under 35 U.S.C. §102(b) over the above discussed reference is overcome and should be withdrawn.

The patent to Banthia et al. discloses an extruded node. Banthia et al. provide absolutely no disclosure concerning a transverse beam of an automobile instrument panel as claimed in the claims presently on file. Banthia et al. do not disclose a push-fit body that projects out of one end face of the frame in the direction of insertion, as in the presently claimed invention. The push-fit body of Banthia et al. projects out of wall of a neighboring frame whereas the end surface of the push-fit body and the frame according to Banthia et al. lie in the same frame.

In view of these considerations it is respectfully submitted that the rejection of claim 12 under 35 U.S.C. §102(b) over the above discussed reference is overcome and should be withdrawn.

The patent to Kreis which was cited in combination with Offenbroich in rejecting claims 15 and 16 and with Banthia et al. in rejecting claims 15, 17, 18, 20 and 21, the reference has also

been considered. This reference also does not disclose or teach a transverse beam of an automobile instrument panel. Furthermore, there is no teaching of a connecting element having a frame that is insertable into the ends of hollow sections of the transverse beam. Still further, there is no teaching of a push-fit body that projects from one end face of the frame, as in the presently claimed invention. Thus, it is respectfully submitted that a combination of Kreis with either Banthia et al. or Offenbroich does not teach the features discussed above as recited in the claims presently on file.

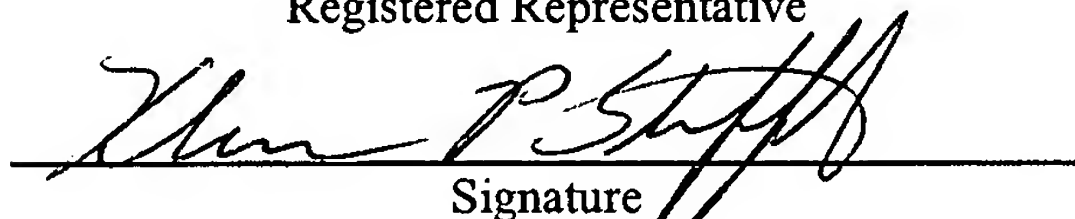
In view of these considerations it is respectfully submitted that the rejections of claims 15-18, 20 and 21 under 35 U.S.C. §103(a) are overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 27, 2004:

Klaus P. Stoffel

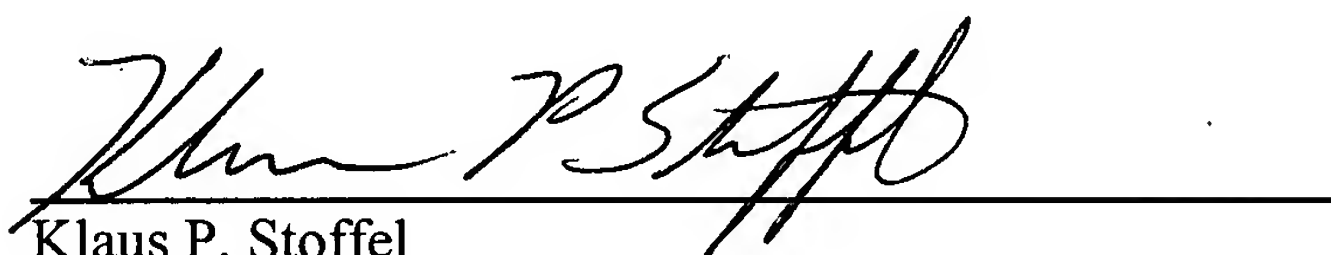
Name of applicant, assignee or  
Registered Representative

  
Signature

August 27, 2004

Date of Signature

Respectfully submitted,

  
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